

May 13, 2022

**Via ECF**

Honorable Lorna G. Schofield  
U.S. District Court  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*  
Case No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Seventh Amended Civil Case Management Plan and Scheduling Order entered in this action (ECF No. 1454), Plaintiffs and Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (“Credit Suisse”) submit this joint status letter.

**I. Motions**

**A. Motion for Decertification**

On April 22, 2022, Credit Suisse filed the opening brief in support of its motion for decertification. ECF Nos. 1678, 1680. Plaintiffs’ opposition brief is due on May 13, 2022, and Credit Suisse’s reply brief is due on May 25, 2022. ECF No. 1669.

**B. Pre-Trial Submissions**

As provided for in the Court’s February 3, 2022 Scheduling Order, motions *in limine* are due by August 12, 2022, and responses are due on August 19, 2022. ECF No. 1653. Joint requests to charge, proposed *voir dire*, verdict form, and any memorandum of law, as provided for in the Court’s individual rules, are due by August 19, 2022. *Id.* The parties’ joint final pretrial order is due by August 26, 2022. *Id.*

**II. Discovery**

**C. Depositions**

Depositions have concluded in this action. In total, Credit Suisse took 27 depositions of the Plaintiffs and/or their investment advisors. Plaintiffs took 55 fact depositions, two objector depositions, and eight Rule 30(b)(6) depositions of Defendants, including Credit Suisse. Of the 55 fact depositions taken by Plaintiffs, 26 witnesses invoked the Fifth Amendment protection against self-incrimination. In addition, the parties took and defended 14 expert depositions.

The parties in *Allianz Global Investors GmbH v. Bank of America Corporation*, Case No. 1:18-cv-10364, have started noticing and taking depositions. Pursuant to the Stipulation and Order Regarding Deposition Protocol (ECF No. 240 at 2), parties in this action are meeting and conferring regarding the extent to which the *Allianz* depositions may be used in the trial beginning in October 2022.

Honorable Lorna G. Schofield

May 13, 2022

Page 2

**D. Remaining Deadlines**

There are no other remaining discovery deadlines.

**III. Litigation Class Notice**

Plaintiffs have completed disseminating notice to potential Class Members that have been identified in the records maintained by the Claims Administrator. On November 29, 2021, the Court entered an Order Approving Requests for Exclusion from the Certified Litigation Class. ECF No. 1632; *see also* ECF No. 1649.

**IV. Settlement**

No settlement discussions have occurred since the entry of the summary judgment order. *See* ECF No. 1650.

**V. Next Joint Status Letter**

The parties will submit their next joint status letter on Friday, July 8, 2022.

Respectfully submitted,

SCOTT+SCOTT ATTORNEYS  
AT LAW LLP

HAUSFELD LLP

s/ Christopher M. Burke  
Christopher M. Burke  
600 W. Broadway, Suite 3300  
San Diego, CA 92101  
Telephone: 619-233-4565  
cburke@scott-scott.com

s/ Michael D. Hausfeld  
Michael D. Hausfeld  
888 16th Street NW, Suite 300  
Washington, DC 20006  
Telephone: 202-540-7200  
mhausfeld@hausfeld.com

*Attorneys for Plaintiffs*

Honorable Lorna G. Schofield

May 13, 2022

Page 3

CAHILL GORDON & REINDEL LLP

s/ Jason M. Hall

David G. Januszewski

Herbert S. Washer

Elai Katz

Jason M. Hall

Sheila C. Ramesh

32 Old Slip

New York, NY 10005

Telephone: 212-701-3000

djanuszewski@cahill.com

hwasher@cahill.com

ekatz@cahill.com

jhall@cahill.com

sramesh@cahill.com

*Attorneys for Defendants*

*Credit Suisse Group AG, Credit Suisse AG,*

*and Credit Suisse Securities (USA) LLC*